

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

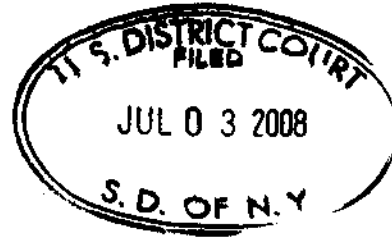
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RUDOLPH EVANS,

Plaintiff,

-against-

DR. BARNES, M.D.C., et al.,
Defendants.

-----X



07 CIVIL 9856 (GEL)

JUDGMENT

SCANNED

Defendants having moved to dismiss, and the matter having come before the Honorable Gerard E. Lynch, United States District Judge, and the Court, on July 2, 2008, having rendered its Order granting defendants' motion to dismiss the complaint, and dismissing the complaint without prejudice to plaintiff's reopening the case by providing a response to the Court by July 21, 2008, setting forth the steps, if any, that he took to exhaust his administrative remedies, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated July 2, 2008, defendants' motion to dismiss the complaint is granted, and the complaint is dismissed without prejudice to plaintiff's reopening the case by providing a response to the Court by July 21, 2008, setting forth the steps, if any, that he took to exhaust his administrative remedies.

Dated: New York, New York
July 3, 2008

J. MICHAEL McMAHON

BY:

Clerk of Court



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**